

FOR CONSIDERATION By the Committee on Regulated Industries

580-00913-26

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A bill to be entitled

An act relating to a review under the Open Government Sunset Review Act; amending s. 350.01, F.S.; deleting the scheduled repeal of an exemption from public meeting requirements for portions of a hearing before the Florida Public Service Commission wherein certain proprietary confidential business information is discussed; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (9) of section 350.01, Florida Statutes, is amended to read:

350.01 Florida Public Service Commission; terms of commissioners; vacancies; election and duties of chair; quorum; proceedings; public records and public meetings exemptions.—

(9) Notwithstanding the provisions of subsection (8), those portions of a hearing conducted by the commission wherein proprietary confidential business information that is confidential or exempt from s. 119.07(1), pursuant to s. 364.183, s. 366.093, s. 367.156, or s. 368.108, is discussed are exempt from s. 286.011 and s. 24(b), Art. I of the State Constitution. No exempt portion of a hearing may be off the record, and all exempt portions shall be recorded and transcribed. Such recordings and transcripts are confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution, unless a court of competent jurisdiction, after an in camera review, determines that the hearing was not restricted to the discussion of proprietary confidential business

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information made confidential and exempt pursuant to s. 364.183,
s. 366.093, s. 367.156, or s. 368.108. In the event of such a
judicial determination, only that portion of the recording and
transcript which reveals nonexempt information may be disclosed
to a third party. ~~This subsection is subject to the Open
Government Sunset Review Act in accordance with s. 119.15 and
shall stand repealed on October 2, 2026, unless reviewed and
saved from repeal through reenactment by the Legislature.~~

Section 2. This act shall take effect upon becoming a law.